

**National Park Service  
U.S. Department of the Interior**

**Superintendent's Compendium  
Of Designations, Closures, Permit  
Requirements and Other  
Restrictions Imposed Under  
Discretionary Authority.**



Approved: *Bruce Noble*  
Bruce Noble  
Superintendent

**Black Canyon of the  
Gunnison National  
Park**

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Under the provisions of 16 USC, Section 3 and Title 36 CFR, Chapter 1, Parts 1-7, the following designations, closures, permit requirements and other restrictions imposed under the discretionary authority of the Superintendent are established for Black Canyon of the Gunnison National Park. Regulations listed in this compendium are a requirement in addition to those listed in Parts 1-7 of Title 36 unless otherwise noted.

In addition to these regulations, written determinations, which explain the reasoning behind the Superintendent's use of discretionary authority, are required by 36 CFR 1.5 (c) and appear in this document as italicized print, or are available for review in the Chief Rangers Office.

2016

*Bruce Noble*

Superintendent,  
Curecanti National Recreation Area & Black Canyon of the  
Gunnison National Park

*5/12/16*

Date

**I. 36 CFR 1.5 – VISITING HOURS, PUBLIC USE LIMITS, CLOSURES, AND AREA DESIGNATIONS FOR SPECIFIC USE OR ACTIVITIES**

(a)(1) The following visiting hours and public use limits are established for all or for the listed portions of the park, and the following closures are established for all or a portion of the park to all public use or to a certain use or activity:

**Visiting Hours:** (Not applicable)

**Public Use Limits:** (Not applicable)

**Closures:**

(a)(1) The following areas are closed to all public entry to protect the privacy of residents, to reduce the hazards of associated public use in maintenance and service areas, and to protect government equipment and facilities:

**Year-round closures:**

- South Rim maintenance yard and residential area
- Water tank and associated service area on the South Rim
- Pulpit Rock concession water tank and associated service area
- North Rim residence and related service facilities, including the generator building, solar panels, propane tank and water tank
- North Rim Campground water tank
- East Portal cable car (property of USGS)
- Park roads and buildings are subject to temporary closures at any time for visitor safety
- Rappelling, bungi jumping or other similar activities are not permitted from any man-made structures for visitor safety and to avoid conflict with other visitor groups.

**Seasonal Closure:** Per Superintendent's order based upon sufficient snow accumulation, the South Rim drive west of the Gunnison Point Visitor Center and the North Rim drive will be closed to motorized traffic.

**Specialized Closures:**

From March 15, 2016 through July 15, 2016, the following areas are closed to all public use: Serpent Point and adjacent walls within one-half mile, including the area above the listed wall(s) from the canyon edge extending for 50 feet away from the canyon. Climbing routes included in this closure are: East Arete, Southern Arete, West Arete, Forrest Walker, Journey through Mirkwood, Stratosfear, and The Dragon.

*Determination: While the American Peregrine Falcon was delisted from the Endangered Species list in 1999, they continue to be protected under the Migratory Bird Treaty Act, as well as other federal and state laws. The peregrine is a Colorado State Special Concern Species and a native Species of Management Concern for BLCA and CURE. Because American Peregrine Falcons are a species of special concern for the state of Colorado and the NPS, NPS has determined the continued monitoring to provide additional evaluation of the population recovery, particularly in light of continued presence and effects of persistent chemical compounds in the environment is warranted.*

**Use of Unmanned Aircraft**

Definition: The term "unmanned aircraft" means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links). This

term includes all types of devices that meet this definition (e.g. model airplanes, quad copters, drones) that are used for any purpose, including for recreation or commerce.

Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Black Canyon of the Gunnison National Park and Curecanti National Recreation Area is prohibited except as approved in writing by the superintendent.

*Determination: The NPS recognizes that the increased use and popularity of unmanned aircraft has led to incidents in which public safety, environmental and scenic values, conflicts among different user groups and impacts to cultural and natural resources have occurred or have had a reasonable possibility of occurring. When confronted with a new park use, Superintendents are directed by agency policy to proceed with caution when determining the compatibility of the new use within the context of existing use and the values for which the individual park unit was designated. This closure is an interim measure pending potential regulatory action on a national-level. In June of 2014, all park Superintendents were required to insert the above language into each park's compendium. An agency-wide prescription prohibits individual Superintendents from promulgating less restrictive measures without approval from the NPS directorate.*

### **Use of Segways and motor driven cycles**

Definition: A Segway is two-wheeled, gyroscopically stabilized, battery-powered personal transportation device which operates at a top speed of 12.5 mph. A motor driven cycle such as a seated scooter or road scooter are designed to travel on no more than 3 wheels and has a cylinder capacity of less than 50 cc.

The use of Segways and motor driven cycles within park areas are permitted in accordance with state law. The operator must have a valid driver's license, the vehicle must have a DOR registration sticker and the vehicle is permitted to operate on public roads.

The use of Segways and motor driven cycles in park areas off of the established roadway by persons with disabilities may be allowed in accordance with an individual special use permit issued by the superintendent under 36 CFR 1.6.

*Determination: The NPS recognizes the use of Segways and motor driven cycles are not designed and utilized solely by mobility impaired persons. For individuals without mobility impairments, the use of Segways and motor driven cycles are permitted to operate on public roads only. The use of Segways and motor driven cycles by persons with disabilities may be appropriate in other locations. Authorizing this use by permit gives the NPS the opportunity to insure users understand use limitations, potential hazards due to other visitor use activities, fluctuating water levels and additional safety concerns.*

### **(a)(2) Designate areas for a specific use or activity, or impose conditions or restrictions on a use or activity. The following climbing practices are prohibited:**

The placement of new fixed anchors which would result in rock alteration during installation when the ability to place removable protection is available. Exceptions must be approved in advance by park staff.

On an existing route, the placement of fixed anchors which would result in rock alteration, unless existing fixed anchors are deemed unsafe or in the event the first ascensionist has supplied park staff with a written request that an additional fixed anchor be placed on a route for safety reasons.

*Definition: "fixed anchor hardware requiring rock alteration for installation" refers to manmade hardware, specifically bolts that require the drilling of rock for installation and is left in the rock by a climbing party after the completion of the climb.*

The use of non-climbing specific hardware (i.e. concrete anchors, home manufactured equipment, etc.)

The use of motorized equipment for drilling.

The placement of new fixed belay/rappel stations when the ability to place adequate removable protection is available. Exceptions must have prior written approval by park staff.

Bolting is prohibited in the development of new climbing routes except in sections of the route having no rock features adequate for the placement of removable anchors.

The installation and removal of pitons except when no other means exist to protect the climbing party.

The caching or leaving of unattended equipment in any area other than a designated campsite unless: 1) the climbing party intends to return to continue the climb; 2) the placement does not exceed a period of 14 days, and either the climbing party remains in the Park during the 14 days period, or approval is received from Park staff prior to departure and notification of intended return date is made.

The intentional development of approach trails.

The building of "cairns" or marking of approach trails.

The removal of rock from its natural position unless, it has been determined the rock poses a significant risk to the climbing party or a future climbing party.

Chipping or the gluing on of holds.

Removal of vegetation from the base of climbs, belay ledges or cracks.

The use of trees as anchors unless; adequate padding is used between the rope and bark surface to prevent tree damage.

On a multi day climb, failure to have in possession, a sufficient human waste container.

High lines and slack lines except, those meeting conditions established under a Special Use Permit; or established within a designated campsite.

Within designated campsites, the anchoring of slack lines to natural vegetation or park property.

*Determination: The Black Canyon has long been established as a traditional area where bolts are kept to a minimum, if used at all. The inner canyon within the Park is a pristine wilderness area. These regulations are intended to preserve the natural character of cliff faces and preclude visual and audio disturbances*

## **II. 36 CFR 1.6 – ACTIVITIES THAT REQUIRE A PERMIT**

(f) The following is a compilation of those activities for which a permit from the superintendent is required:

- 1.5(d) The following activities related to Public Use Limits:
- 2.4(d) Carry or possess a weapon, trap, or net
- 2.5 Specimen collection (Take plant, fish, wildlife, rocks or minerals)
- 2.10(a) The following camping activities:

**Backcountry and Wilderness use Permit System:**

A permit is required for all backcountry and wilderness use (both day use and overnight), including inner canyon access routes, cross-country use, technical climbing, and all river use.

NOTE: Only overnight backpackers or boaters (kayakers) accessing the Park from the East Portal require a permit, all day-users would not need a permit.

**Exceptions to Permit Areas:**

- Day-use fisherman and hikers accessing the Park from East Portal
- Currently, permits are not required on newly acquired BLM lands within the National Park (Margaritaville campsites). However, a BLM User Fee Permit is required for inner-canyon use east of the Chukar Trail.
- Day use on the following trails:  
Warner Point nature trail  
Oak Flat trail  
Rim Rock  
Upland  
North Vista  
Deadhorse  
Green Mountain trails
- Developed viewpoints and associated trails
- Access to Red Rock Canyon is by reservation only under conditions established by the Superintendent.

**Permit Information:**

- A Permit can be obtained from an NPS representative or, when available, at a self-registration station. Self-registration stations are available at the following locations:  
South Rim Visitor Center  
North Rim Visitor Center  
East Portal (located west of East Portal campground at bulletin board)
- One permit is all that is required for registering a group of users when traveling together. The permit must be completed in entirety and copies distributed as follows:
  - 1) Copy of the permit will be left with the NPS representative or at the location designated at the registration station
  - 2) Permittee/s copy must be kept in possession until completion of the wilderness/backcountry visit.

Note: Violating a term or condition of a permit issued pursuant to this section is prohibited.

Red Rock Canyon Permit Policy:

- Group size is limited to 4 people; groups may be split to meet requirement, but there is a 4-person per campsite limit.
- Overnight use is limited to 3 days/2 nights per visit. Each person in the party must sign-in at the trailhead register.
- One parking space per group, for a total of 3 vehicles, is permitted. Private vehicles must park in designated parking area and may not drive beyond the "green gate" whether it is open or closed.
- When hiking across private property, visitors must stay on the road to the trailhead unless diverting around cattle.

*Determination: This interim management plan for restricting access into Red Rock canyon is established in order to protect park resources, provide a quality wilderness experience for visitors, protect private property rights, and gather information necessary for the long-term protection of this scenic area of the Park.*

- 2.12 Operating power saws in developed areas.
  - (a)(3) Operation of any type of portable motor or engine, or device powered by a portable motor or engine in non-developed areas
  - (a)(4) Operation of a public address system in connection with a public gathering or special event for which a permit has been issued pursuant to 2.50 or 2.51
- 2.17 Delivery or retrieval of a person or object by parachute, helicopter or other airborne means
  - (c)(1) Removal of downed aircraft
- 2.23 Special recreation activities
- 2.37 Soliciting or demanding gifts, money goods or services
- 2.38(a) Use, possess, store, transport, explosives, blasting agents
  - (b) Use or possess fireworks
- 2.50 Special Events (i.e. wedding, commercial photography, ceremony, regatta)
- 2.51 Public Assemblies
- 2.52 Sale or distribution of printed matter.

NOTE: The Park amphitheater and the Gunnison Point Parking lot are designated locations for 1<sup>st</sup> amendment activities. A map which designates these areas, will be available upon request, in the office of the superintendent.

- 2.60 Grazing
- 2.61(a) Residing on federal lands
- 2.62 Scattering of human ashes (memorialization)

- 3.3 Use of a vessel
- 4.11 Exceeding of established vehicle load, weight and size limits
- 5.1 Advertisements – (Display, posting, or distribution.)
- 5.3 Business Operations
- 5.4(a) Commercial transportation of passengers by motor vehicles within specific parks.
- 5.5(a) Commercial filming of motion pictures or television involving the use of professional casts, settings or crews, other than bona fide newsreel or news television
  - (b) Still photography of vehicles, or other articles of commerce or models for the purpose of commercial advertising.
- issue a 5.6(c) Use of commercial vehicles on park area roads (The superintendent shall permit to access private lands within or adjacent to the park when access is otherwise not available)
- etc. 5.7 Construction of buildings, facilities, trails, roads, boat docks, path, structure,
- 5.10(a) Operation of eating, drinking, or lodging establishments in certain park areas
- 6.9(a) Operation of a solid waste disposal site
- Part 7 Special Regulations

### **III. GENERAL REGULATIONS**

#### **36 CFR 2.1 – PRESERVATION OF NATURAL, CULTURAL AND ARCHEOLOGICAL RESOURCES**

(a)(4) Wood gathering is prohibited throughout the Park.

(a)(5) The following conditions are in effect for walking, climbing, entering, ascending, or traversing the listed archeological or cultural resource, monuments or statutes: (Not applicable)

(b) Hiking or pedestrian traffic is restricted to the trail tread or walkway on the following trails/walkways: (Not applicable)

(c)(1) Collection of edible fruits, berries and nuts may be gathered by hand for personal consumption only and not for the purpose of sale or exchange.

#### **36 CFR 2.2 - WILDLIFE PROTECTION**

(d) Transporting lawfully taken wildlife through the Park is prohibited. However, wildlife lawfully taken on private lands or on lands within Curecanti National Recreation Area along the East Portal road, or taken as permitted by deed of scenic easement, or taken on lands adjacent to the Park which are accessed by an NPS permitted right of way, may be transported on Park roads for the sole purpose of exiting the Park.

(e) Use of an artificial light to view wildlife is prohibited within the Park.

### **36 CFR 2.3 – FISHING**

(a) Fishing is authorized within the park in accordance with federal and state law.

(d)(2) Possession or use of live or dead minnows or other bait fish, amphibian, non-preserved fish eggs or roe is not permitted.

(d)(4) In accordance with federal statutory law, commercial fishing is authorized in the following areas, under the conditions noted. (Not applicable)

### **36 CFR 2.4 – WEAPONS, TRAPS, and NETS**

*Section 512, of the Credit Card Accountability Responsibility and Disclosure Act of 2009, P.L. 111-24, 123 Stat. 1764-65, allows persons to possess firearms while in units of the National Park and National Wildlife Refuge Systems if they are in compliance with applicable federal and state law. Specifically, Section 512 (b) states:*

The Secretary of the Interior shall not promulgate or enforce any regulation that prohibits an individual from possessing a firearm including an assembled or functional firearm in any unit of the National Park System or the National Wildlife refuge System if

- (1) The individual is not otherwise prohibited by law from possessing the firearm; and
- (2) The possession of the firearm is in compliance with the law of the State in which the unit of the National Park System or the National Wildlife Refuge System is located.

### **36 CFR 2.10 – CAMPING and FOOD STORAGE**

(a) Within the developed campgrounds, no more than two primary recreational camping units per site, (car, pickup, motorhome, van, pop-up trailer, in which people are sleeping). Maximum of eight people per site. Vehicles must be parked within established parking areas at the site.

- Registered sites must be occupied. "Occupied" implies the site has been slept in once within a 12 hour period.
- Camping is limited to a visit of fourteen (14 day) consecutive nights for a total of 30 days during the calendar year.
- The following sites can be reserved in advance with the National Recreation reservation System: Loop A & B within the South Rim campground
- Tent camping or the overnight occupancy of camper vehicles, such as, pickups, coaches, trailers, and motorhomes is restricted to designated, developed campsites in the following areas:

1. South Rim campground
2. North Rim campground

Note: A permit as described in Section 1.6 is required for backcountry or wilderness camping. Backcountry camping is permitted.

(b)(3) Camping closer than 100 feet to the Gunnison River is permitted.

(b) (9) Camping along the CLOSED S. Rim drive is permitted beyond Pulpit Rock Overlook during winter season when the drive is CLOSED beyond the Visitor Center.

(b)(9) The use of generators in the South Rim campground is prohibited.

(d) Conditions for the storage of food are in effect, as noted, for the following areas:

North and South Rim campgrounds

In established backcountry campgrounds (Warner Point, Gunnison)



### **36 CFR 2.13 – FIRES**

(a)(1) The lighting or maintaining of fires is generally prohibited, except as provided for in the following designated areas and/or receptacles, under the conditions noted:

#### **Designated Areas:**

- In grills within designated campsites at the developed campgrounds
- In the NPS campfire ring at the amphitheater
- In residential areas, within commercial grills or barbecue units

(a)(2) The following restrictions are in effect for the use of stoves or lanterns:

- Use of camp stoves and grills, fueled by liquid, gas or sterno, is permitted, except within the front country where it is limited to designated campsites and picnic areas.

(b) Fires must be extinguished according to the following conditions:

Fully extinguished and cool to the touch

(c) High fire danger closures will be in effect as noted:

- The Superintendent may close all or a portion of the Park to the lighting or maintaining of a fire during periods of high fire danger. Closures will be done in consultation with Montrose County and/or adjacent to public lands.

### **36 CFR 2.14 – SANITATION and REFUSE**

(a)(2) The use of government refuse receptacles or facilities for dumping household, commercial or industrial refuse, brought as such from private or municipal property may be allowed under the following conditions: (Not applicable)

(a)(9) Inner canyon visitors must use vault toilets, available along the Gunnison river at Gunnison and Warner campsites, for the disposal of human body waste. Otherwise, all solid human waste must be buried in at least 6" deep cathole at least 200 feet from water, camps, or trails. All toilet paper and hygiene products must be packed out.

### **36 CFR 2.15 – PETS**

(a)(1) Pets are permitted only in picnic areas, campgrounds, parking lots, trails to overlooks, and along roads currently open to vehicles. They are prohibited in non-developed areas and on all trails except Chasm View nature trail and Rim Rock. The following structures and/or areas are closed to the possession of pets:

- Ranger conducted hikes or tours and Visitor Center
- Within the wilderness area and access trails:  
Oak Flat  
North Vista  
Warner Point nature trail  
Upland trails  
Deadhorse trail

NOTE: Due to established use on lands previously under BLM jurisdiction, pets are permitted upstream from Chukar to Margaritaville.

- On designated cross-country ski or snowshoe trails, including that portion of the South Rim road closed west of the Visitor Center by snow.

- Employees residing in government quarters in accordance with Superintendents' directive.

NOTE: "Pet" means dogs, cats, or any animal that has been domesticated. (36 CFR 1.4)

### **36 CFR 2.16 – HORSES and PACK ANIMALS**

(a) The following animals are designated as pack animals: Horses, burros, mules or other hoofed mammals

(b) The use of horses or pack animals is permitted on the following trails, routes or areas:

- Deadhorse trail, North Rim

(g) The use of horses and pack animals is prohibited in all other Park areas unless authorized by a grazing use permit approved by the Superintendent. Other conditions concerning the use of horses or pack animals:

- Picketing or tying livestock to natural features such as trees is prohibited.
- Grazing is prohibited. All hay utilized within the Park must be certified as weed free in compliance with Montrose county standards.
- Horses are prohibited in the North Rim campground except during transport in a trailer.

### **36 CFR 2.17 – AIRCRAFT and AIR DELIVERY**

(a)(1) The following areas have been designated pursuant to special regulations for operating or using aircraft: (Not applicable)

(c)(1) The removal of a downed aircraft, components, or parts thereof is allowed, subject to written authorizations from the Superintendent, under the following terms and conditions:

- Requires Special Use Permit

### **36 CFR 2.18 – SNOWMOBILES**

(c) In addition to 36 CFR, Section 2.18, snowmobile use is also regulated under 36 CFR, section 7.53

### **36 CFR 2.19 – WINTER ACTIVITIES**

(a) Skiing and snowshoeing are permitted on park roads closed to motor vehicle traffic pursuant to winter conditions.

### **36 CFR 2.20 – SKATING, SKATEBOARDS and SIMILAR DEVICES**

(a) The Park is closed to the use of roller skis, skateboards, roller blades, roller skates, street luge, and similar devices.

### **36 CFR 2.21 – SMOKING**

(a) The following portions of the park, or all or portions of buildings, structures or facilities are closed to smoking and the use of e-cigarettes:

- In the interior of all NPS owned, leased or administered buildings, including shared government quarters
  - Within 25 feet of any entrance or exit primarily accessed by the visiting public
  - Within 25 feet of any entrance or exit not generally accessed by the public, where smoking would result in smoke traveling through doorways, windows, air ducts or other openings.
  - Within any type of government owned or leased vehicle, including heavy equipment, watercraft, or aircraft.

### **36 CFR 2.22 – PROPERTY**

(a)(2) Vehicles may be left unattended in excess of 24 hours at locations within the Park if a Wilderness/Backcountry use permit has been obtained in advance. The permit must distinguish the vehicle by description; identify the location where the vehicle will be parked and the duration of stay.

(3) Vehicles may be left unattended within the developed campgrounds at the South and North Rim.

### **36 CFR 2.23 – RECREATION FEES**

(b) Recreation fees, in accordance with 36 CFR part 71, are established for the following entrance fee areas, and/or for the use of the following specialized sites, facilities, equipment or services, or for participation in the following group activity, recreation events or specialized recreation uses:

#### **Entrance Fee Areas:**

Entrance fee	\$15.00
Black Canyon Pass	\$30.00
Person, bicycle, motorcycle	\$ 7.00

#### **Campground Fees:**

South Rim	\$16.00
Loop B (electric)	\$22.00 (includes \$6.00 utility fee)
North Rim	\$16.00

Note: All user fees are discounted 50% for Golden Age/Senior and Golden Access cardholders. A limited service fee (50% of full price) is charged for all campgrounds when water is unavailable.

(c) The collection of recreation fees will be suspended during the following periods:

By order of the Director of the National Park Service

### **36 CFR 2.35 –ALCOHOLIC BEVERAGES and CONTROLLED SUBSTANCES**

(a)(3)(i) The Park Visitor Center, NPS amphitheater during formal programs, and guided walks, are closed to the possession and consumption of alcoholic beverages.

Note: NPS Amphitheater, except as authorized by permit.

### **36 CFR 2.37 – NONCOMMERCIAL SOLICITING**

The solicitation or demand for gifts, money, goods, or services requires a permit under 2.50, 2.51, or 2.52, and is subject to the terms and conditions specified therein.

### **36 CFR 2.60 LIVESTOCK USE AND AGRICULTURE**

(a) Absent a permit, the running-at-large, herding, driving across, allowing on, pasturing or grazing of livestock of any kind in a park area for agricultural purposes is prohibited. Additionally, a permit can only be issued in the following circumstances:

(a)(1) As specifically authorized by Federal statutory law: or

(a)(2) As required under a reservation of use of rights arising from acquisition of a tract of land.

(a)(3) As designated, when conducted as a necessary and integral part of a recreational activity or required in order to maintain a historic scene.

**36CFR 2.61 – RESIDING ON FEDERAL LAND**

Absent a permit, lease or contract, residing in park areas on other than private land, is prohibited.

**36 CFR 2.62 – MEMORIALIZATION**

- (a) Authorization from the Director of the National Park Service is required to install a monument, memorial, tablet, structure, or other commemorative installation in a park area.
- (b) A permit is required for the scattering of ashes from cremated human remains.

**36 CFR 4.31 – HITCHHIKING**

Hitchhiking is permitted in the following areas under the terms and conditions noted:  
(Not applicable)